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CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE  
BY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDERSON CALLENDRET,

Defendant.

CASE NO. CR07-97P

PROPOSED FINDINGS OF FACT  
AND DETERMINATION AS TO  
ALLEGED VIOLATIONS OF  
SUPERVISED RELEASE

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on December 31, 2013. The United States was represented by Andrew Colasurdo, and defendant was represented by Michael Filipovic. The proceedings were recorded on cassette tape.

CONVICTION AND SENTENCE

Defendant had been convicted on or about July 27, 2007, on a charge of possession of a stolen firearm. The Hon. Marsha J. Pechman of this court sentenced defendant to 92 months of imprisonment, followed by three years of supervised release.

## **PRIOR REVOCATION**

The court previously revoked defendant's supervised release on May 13, 2013, following allegations that he had committed the new offense of theft, and had violated various conditions relating to use of drugs and alcohol, and complying with supervision. The court sentenced him to time served, followed by a new 35-month term of supervised release.

PRESENTLY ALLEGED VIOLATIONS AND  
DEFENDANT'S ADMISSION OF THOSE VIOLATIONS

In an application dated October 18, 2013, USPO Jennifer Van Flandern alleged that defendant violated the conditions of supervised release in four respects:

- (1) Committing the new crime of Driving while under the influence of alcohol, on October 12, 2013;
- (2) Use of alcohol on October 12, 2013;
- (3) Failure to notify his USPO within 72 hours after his arrest on October 12, 2013; and
- (4) Failure to participate satisfactorily in a chemical dependency treatment program since August of 2013.

I advised defendant as to these charges and as to his constitutional rights. He admitted each of the four alleged violations, waived any hearing as to whether they occurred, and consented to having the matter set for a disposition hearing before Chief Judge Pechman.

## RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that defendant has violated the conditions of his supervised release in the four respects alleged, and conduct a disposition hearing. That hearing has been set before Chief Judge Pechman on January 14, 2014 at 1:30 p.m.

1 Defendant is currently serving a state court sentence, and appeared in this court pursuant to a  
2 writ. The issue of federal detention on these revocation charges is therefore moot, as this court is  
3 very likely to make a final determination long before defendant's release date on his state sentence.

DATED this 31<sup>st</sup> day of December, 2013.

~~JOHN L. WEINBERG  
United States Magistrate Judge~~

10 cc: Sentencing Judge : Hon. Marsha J. Pechman  
11 Assistant U.S. Attorney : Andrew Colasurdo  
Defense Attorney : Michael Filipovic  
U. S. Probation Officer : Jennifer Van Flandern